

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

ESTATE OF VINCENT FRANK	)	Case No.: 1:24-cv-00689 JLT EPG
BOSCAINO, JR., et al.,	)	
	)	ORDER ADOPTING FINDINGS AND
Plaintiff,	)	RECOMMENDATIONS IN FULL
	)	
v.	)	(Docs. 15, 25, 26, 42, 51)
	)	
ADVENTIST HEALTH HANFORD, et al.,	)	
	)	
Defendants.	)	

Plaintiffs bring Federal and California state law claims, primarily alleging that various Defendants failed to provide adequate medical care to Decedent Vincent Frank Boscaino, Jr., which ultimately led to his death.

On January 29, 2025, the assigned magistrate judge issued findings and recommendations (Doc. 51), recommending that (1) the KWPH Defendants'<sup>1</sup> motion to dismiss be denied (Doc. 25); (2) the KWPH Defendants' motion to strike be denied (Doc. 26); (3) Dr. Monterroso's motion to dismiss (as converted from a motion to strike) be denied (Doc. 15); (4) Adventist Health Hanford's motion to dismiss (as converted from a motion to strike) be granted (Doc. 42); and (5) Dr. Monterroso's and Adventist Health Hanford's accompanying requests for judicial notice be denied as unnecessary (Docs.

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<sup>1</sup> The KWPH Defendants include KWPH Enterprises, Inc.; Daniel Linares; Mark London; Manuel Sandoval; and Samuel Taylor.

15-1; 42-2). Dr. Monterroso and the KWPH Defendants timely filed objections, and the Plaintiffs timely responded to those objections. (Docs. 52-55)

According to 28 U.S.C. § 636(b)(1), this Court performed a *de novo* review of this case. Having carefully reviewed the matter, including the objections and responses to the objections, the Court concludes the Findings and Recommendations are supported by the record and proper analysis. Thus, the Court **ORDERS**:

1. The Findings and Recommendations dated January 29, 2025 (Doc. 51) are **ADOPTED** in full.
2. The KWPH Defendants' motion to dismiss (Doc. 25) is **DENIED**.
3. The KWPH Defendants' motion to strike (Doc. 26) is **DENIED**.
4. Dr. Mark Monterroso's motion to dismiss (as converted from a motion to strike) (Doc. 15) is **DENIED**.
5. Adventist Health Hanford's motion to dismiss (as converted from a motion to strike) (Doc. 42) is **GRANTED** and Plaintiffs' request for punitive damages as to Adventist Health Hanford is **DISMISSED**.
6. Dr. Monterroso's and Adventist Health Hanford's requests for judicial notice (Docs. 15-1, 42-2) are **DENIED** as unnecessary.
7. Plaintiffs are **GRANTED** leave to file an amended complaint by no later than October 30, 2025, only for the purpose of adding allegations related to their request for punitive damages against Adventist Health Hanford.

IT IS SO ORDERED.

Dated: **September 30, 2025**

  
UNITED STATES DISTRICT JUDGE